



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, MONDAY, FEBRUARY 1, 2021

No. 18

Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You are the light that keeps us safe. Your protections soothe doubts and calm fears. You hear our prayers, and Your answers are swift.

Lord, teach our lawmakers to follow Your guidance. Place their feet on the right paths. Guide them with Your precepts and encourage them with Your promises. May their faith in You keep them courageous and true.

Lord, we praise You for You are the rock of our salvation.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Vermont.

Mr. LEAHY. Madam President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE NATIONAL GUARD

Mr. LEAHY. Madam President, as you know, as you walk around the Capitol these last couple of weeks, you have to notice the changes. Quiet views of the Capitol, the seat of our government, are obstructed by fences topped with barbed wire and servicemembers on patrol at every corner, every entrance, and every gateway. These servicemembers, men and women of our

National Guard, are our neighbors. They are our coworkers. They are members of our family. They are called away from home, many of which volunteered to come here to the Nation's Capitol to protect the very heart of democracy. They deserve our thanks. They deserve our gratitude. They deserve our unwavering support.

With over 25,000 members of the Guard from every State, territory, and District of Columbia present in Washington to protect our time-honored traditions, there is no greater representation of the best of America here as we carry out the people's business. I am grateful to them for their service.

Now, 2 weeks ago, I had the pleasure of visiting and thanking some members of Vermont's own National Guard—Lieutenant Colonel Day, along with Captain Lahr, and First Sergeant Stewart from Bravo Troop of Vermont's renowned Mountain Calvary Battalion. They welcomed me and introduced me to a contingent of the Vermonters present.

Now, through their deployment, they are asked to face challenges at a moment's notice. They use the training and the teamwork that has always helped them succeed in Vermont and overseas. They met those challenges, and they exceeded those challenges.

Like all National Guard units when they deploy, these Vermonters came to the District with deep ties back to our communities and the families and employers that make their service possible.

I am privileged to be the cochair of the Senate National Guard Caucus. I have heard, time and again, firsthand testimony from members of the Guard that that hometown connection is the glue that makes what they do possible. We are grateful to their families, their communities, and their employers too. But that can be said about every Senator here, including our distinguished Presiding Officer.

The Vermont Guard members I talked to carried with them the sup-

port of Vermont communities, especially from Southern Vermont, where Bravo Troop's armory is located. To give you an idea of how they are part of the community, the deployment was led by the vice principal of Brattleboro Union High School. It included the cousin of one of my staffers. It was filled with soldiers with connections and stories that make up the culture and community I proudly call home—Vermont. A similar story could be told about the communities represented in the units from every State and territory. I am especially grateful because most of the soldiers from Vermont are going to deploy overseas later this year. Everyone that came down this January volunteered to be here.

So much has been asked of the National Guard these last 3 months, from the COVID-19 response to several disturbances this summer, to safeguarding the Nation's Capitol—all of it on top of regular training and deployment schedules.

To the men and women of the National Guard from every State and territory and the District of Columbia, we appreciate the immense contributions you have made to our country today and every day. You are real patriots. You are real heroes, and democracy thanks you.

PROTESTS

Mr. LEAHY. Madam President, on another matter to bring to our leaders, you know, I first came to this Capitol when I was a teenager with my parents. We came down from Vermont. I remember looking around and walking through it, thinking what a privilege it was just to walk here. And then, during my years at Georgetown Law School, I would come here often just to see it, just to watch it, and to walk up the Mall and look at the Capitol and say: That is democracy.

I never thought I would work here, but I have now for a number of years.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S207

I found the assault on and the defilement of the U.S. Capitol mere weeks ago was an attack on the bedrock of our democratic institutions right here in the citadel of our democracy.

The toll that this insurrection has taken and will take on our great Nation will be felt for so long. In addition to the physical damage done, there is a human toll that this attack has taken on the lives lost and the injuries suffered by so many brave officers of the Capitol Police.

I was both in this Chamber and in the House Chamber during the time this attack unfolded. The next morning, I recorded some of the lingering physical damage to this building in several photographs that I made.

But the attack also is about things you can't photograph, the unseen scars in the Capitol community—the staff members and the Capitol employees who work every day to help make our Capitol Building function as it needs to function. Most Members of Congress were also roiled by this attack. It has shaken all of us.

Chad Pergram of FOX News has written an essay that captures this heavy toll on the people who work in the Capitol. I was so moved when I read his essay.

Madam President, I ask unanimous consent to have printed in the RECORD the essay by Chad Pergram written on January 31, 2021.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Fox News, Jan. 31, 2021]

THE SPEAKER'S LOBBY: SCARS

(BY CHAD PERGRAM)

I know of U.S. Capitol Police officers who are hurting. Smarting. Reeling.

This, nearly a month after the insurrection at the Capitol they are paid to protect.

I know of Congressional aides who are hurting. Smarting. Reeling.

This, after a violent mob shattered windows and jimmied doors, storming through the Capitol in which they work.

And these are the aides who weren't at the Capitol on January 6.

These were staffers working from home during the pandemic. They're still upset after seeing an insurrection of the highest order in their workplace.

And then there are the aides who were working at the Capitol on 1/6.

I know these aides are hurting. Smarting. Reeling.

They huddled for hours under desks. In a coat closets. In restrooms. Barricaded, in rooms, just as they were taught in a post-Columbine world.

This, as the violent horde marauded through Congressional offices and deployed Trump flagpoles like battering rams to break into the Speaker's Lobby off the House chamber.

These are the scars which will take time to heal.

But they are scars.

And scars never disappear.

The United States Capitol bears ugly scars of that mortifying day. The lesions which remain are the hideous fencing encapsulating the Capitol, draped with spirals of concertina wire. There are the National Guard troops in fatigues, toting M5 carbines, guarding the American Capitol.

But the scars will remain in heads and hearts long after the troops depart.

An unsettling silence cloaks you once you enter the Capitol's secure perimeter these days. You pass through the fencing, showing your pass a few times as you walk. You pass stretches of grass which is the Russell Senate Park.

It is a park in name only.

The grass is there. Some frost in winter. Benches. The Robert A. Taft Memorial and Carillon, honoring the late Senate Majority Leader.

But you can't really get there. You cross Constitution Avenue. A car, like yours, already cleared for the "Green Zone," may trundle by.

There is no bustle.

Capitol Hill was always a hive of activity. AidesTouristsLobbyistsSightseersSenatorsJournalistsGawkersJoggersToddlersPoliceOfficers.

Before the pandemic, a jumble of humanity. Just coming and going. Doing the nation's business. Senators rushing to the Senate chamber to confirm the Assistant Interior Secretary. Or maybe a family just in from Spokane who've never set foot in DC, pushing a three-year-olds' stroller, ambling around the grounds. Lobbyists piling out of cabs on Independence Avenue in front of the Longworth House Office Building.

Now, a stillness.

The pandemic hushed the daily bedlam of Capitol Hill.

Lawmakers may only show up to vote. And on the House side, some don't even do that, voting from home. There are aides who haven't darkened the door in close to a year. There might be a smattering of tourists. Some joggers. Dog walkers.

A funereal silence.

That silence is incongruous with the quotidian scramble of Capitol Hill. The Capitol and its environs are a shell of what they once were.

The white marble is still there. The majesty of the Dome remains. But that silence is haunting. The silence is a signal.

It tells you something bad happened here.

I've been back at the Capitol most days since the riot. I stayed at a hotel close to the Capitol around the inauguration—so I could easily get in and out for work. My wife drove me in the other days and dropped me off. If the Capitol were locked down like this in any other circumstance, I would likely hire an Uber, Lyft or take Metro. But the pandemic presents a new level of difficulty just getting to work and parking my car.

But I drove myself to the Capitol one day last week. Officers inspected my badge and checked my trunk on multiple occasions—twice after I got inside the Green Zone. There was a lot of confusion about which way to go and where you were supposed to drive. But after a while, I finally parked where I usually do. There were no other cars there.

And then there was the silence. Just the rustle of shriveled leaves, clinging to the trees, bombed by tiny ice pellets from the sky.

No horns. No cars. No people.

The silence is one of those scars.

Some who work on Capitol Hill may never return, traumatized by 1/6.

That's a scar, too.

And, there's likely an emerging scar.

The Capitol won't be the same.

Multiple investigations are now underway as to what went wrong at the Capitol on 1/6. But one of the most consequential lines came from Acting U.S. Capitol Police Chief Yogananda Pittman. Pittman briefed House Appropriators about the attack last week.

"In my experience, I do not believe there (were) any preparations that would have al-

lowed for an open campus in which lawful protesters could exercise their First Amendment right to free speech, and, at the same time, prevent the attack on the (Capitol) grounds that day," said Pittman.

Yes. There will be discussions about personnel, better communications and barricades. Many reporters picked up on what Pittman said about no "preparations" failing to avert "the attack."

But there's another important line from Pittman. She used the phrase "open campus."

That is what the U.S. Capitol complex generally was. An open campus. And, it remains to be seen if it ever will be again.

Prior to 1/6, people could traipse about the campus at their leisure. Walk across the Capitol plaza. Pre-pandemic, people could clear security and spend all day wandering around the House and Senate office buildings, if they so chose. It didn't matter if they had an appointment to see someone or not.

The Capitol itself was closed unless you were there on official business. You could also come to the Capitol to watch the House and Senate in action from the galleries.

The difference between the Capitol, and say, the State Department, is that the public doesn't have the right to just show up at an executive branch building and waltz around. Even the perimeter. But access to the Capitol is quintessentially Congressional. It's a two-way exchange on Capitol Hill. The people demand to interact with the people who represent them in Washington. And, lawmakers insist that their constituents have access to them. It's one of the only ways American democracy functions.

Moreover, lawmakers want people to enjoy the grounds. The view from the Capitol Hill vista, looking westward toward the Washington Monument and Lincoln Memorial is one of the most dramatic in the world.

Openness made the Capitol unique. It also made it an incredibly soft target—nearly two decades after 9/11.

So how does Congress address this? Barricades? Appointments? No one on the grounds unless they've cleared security blocks away? Controlled access? The closures of Constitution and Independence Avenues?

They hardened the White House facility in the early 1980s after the West Berlin discotheque bombing. They shuttered Pennsylvania Avenue in front of the White House after the 1995 Oklahoma City bombing. That also forced Congressional officials to shut off many streets which run between the House and Senate office buildings.

So what scars will the Capitol now bear now?

The Capitol will be different. More restricted. Less access.

And the quiet serves as a reminder to the bedlam on January 6.

Mr. LEAHY. With that, Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.